

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 07/11/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	22-CR-540 (VEC)
-against-	:	
	:	
JAMES GARLICK,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----	X	

VALERIE CAPRONI, United States District Judge:

WHEREAS the parties are scheduled to appear for a Final Pre-Trial Conference on Thursday, July 20, 2023, at 10:00 A.M.;

IT IS HEREBY ORDERED that, in preparation for the conference, the parties should review the draft voir dire questions attached to this Order.

The Clerk of Court is respectfully directed to mail a copy of this Order and the attached voir dire questions to Mr. Garlick and to note the mailing on the docket.

SO ORDERED.

Date: July 11, 2023
New York, New York

VALERIE CAPRONI
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	
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JAMES GARLICK,	:	22-CR-540 (VEC)
	:	
Defendant.	:	<u>ORDER</u>
-----	X	

PLEASE DO NOT READ FURTHER OR WRITE ANYTHING ON
THIS QUESTIONNAIRE UNTIL THE JUDGE TELLS YOU TO DO SO

General Questions

1. Do you have any ideas, prejudices or beliefs that might prevent or hinder you from following the instructions that I give as to the law?
2. Do you have any doubt that you will be able to apply the law as I explain it, even if you disagree with the law?
3. Do you have any religious or ethical beliefs that would prevent you from passing judgment on another person?
4. Do you have any personal knowledge of the charges in the indictment as I have described them?
5. Have you, or has any member of your family or a close friend, ever worked in law enforcement — for example, as a police officer or a federal agent; as a correctional officer in a jail or prison; in a local, state, or federal prosecutor's office, or in some other law enforcement capacity?
6. Have you, or has any member of your family or a close friend, ever studied or practiced law or worked in any capacity for a law office, public defender's office, or a private investigation firm?
7. Have you, or has any member of your family or a close friend, had any experience with a criminal defense attorney or a criminal prosecutor that you think might make it difficult for you to be a fair and impartial juror in this case?
8. Have you, or has any member of your family or a close friend, ever worked for the United States Attorney's Office for the Southern District of New York, the New York City Police Department, the Bureau of Alcohol, Tobacco, and Firearms, or the Federal Bureau of Investigation?

Case-Specific Questions

9. Have you, or has any member of your family or a close friend, ever been involved — as a defendant, victim, witness, or in any other way — in a crime or incident involving a firearm?

10. You will hear evidence that, prior to this case, the Defendant was convicted of a crime for which he faced a term of imprisonment of more than one year. Is there anything about the fact that the Defendant has previously been convicted of a crime that might affect your ability to be a fair and impartial juror in this case?

11. Mr. Garlick has chosen to represent himself in this case. He has a constitutional right to do that. Is there anything about the fact that he will be representing himself that might make it difficult for you to be a fair and impartial juror in this case?

Knowledge of Parties, Lawyers and Witnesses

12. The Defendant in this case is James Garlick. Do you, or does any member of your family or a close friend, know Mr. Garlick, or know anything about Mr. Garlick beyond what I have told you today?

13. Mr. Garlick is representing himself but has two attorneys standing by to advise him if he so chooses. Those attorneys are Marne Lenox and Michael Arthus from the Federal Defenders of New York. Do you know or have you ever had any dealings with Ms. Lenox or Mr. Arthus?

14. The Government is represented by Adam Sowlati, Jacqueline Kelly, and Jerry Fang from the Office of the United States Attorney. They are being assisted by a paralegal, Julia Gutierrez. Do you know, or have you ever had any dealings with Mr. Sowlati, Ms. Kelly, Mr. Fang, or Ms. Gutierrez?

15. Do you know or have you heard of any of the following people who might be mentioned or testify during the course of the trial:

- Manuel Alonzo
- Tarsha James Barnes
- Joseph Bongiorno
- Nadja Brightman
- Jeff Byram
- Richard Castellano
- Laura Cadavid
- Lairy Cosma
- Vincent Dempsey
- Luis Dickson
- Teddy Duroc
- Matthew Fleming
- Micah Friedman
- Joshua Garlick
- Sharron Garlick
- Kyli Garrett
- Maurice Himes
- Noel James
- Alvin Joseph
- Adam Landau
- Russell Marquis
- Keith Mellars
- Michael Moreno
- Noel Perez
- Kathleen Petgrave
- Frank Piazza
- Ryan Pierce
- Edgar Pino
- An individual known as “Reo DA Don”
- Robert Riley
- Jamie Roscino
- Luis Sanchez
- Ali Shakoor
- Salley Simone
- James Stella
- Cheri Valdez
- Kylie Welsh

16. Are you familiar with any of the following locations:

- Intersection of Jerome Avenue and East 162nd Street in the Bronx
- 2780 University Avenue in the Bronx
- 82 Lincoln Avenue in the Bronx

17. Before arriving for jury duty, did you know any of the other people who are potential jurors in this case?

18. Do you know me or any of my staff?

Experience with, and Opinions of, Criminal Justice

19. Have you, or has any member of your family or a close friend, ever appeared as a witness in a criminal case, either at a trial or in the grand jury?

20. Have you, or has any member of your family or a close friend, ever been the victim of a crime?

21. Have you, or has any member of your family or a close friend, ever been charged with a crime or been a defendant in a criminal case?

22. Have you, or has any member of your family or a close friend, had any experience with law enforcement, either positive or negative, that might make it difficult for you to be a fair and impartial juror in this case?

23. Do you have any strong feelings about law enforcement or the criminal justice system generally, either positive or negative, that might make it difficult for you to be a fair and impartial juror in this case?

24. Do you have any strong feelings about the laws governing the possession of firearms that might make it difficult for you to be a fair and impartial juror in this case?

Difficulties in Understanding or Serving

25. Do you have a problem with your hearing or vision that would prevent you from giving full attention to all of the evidence at this trial?
26. Do you have any difficulty understanding or reading English?
27. Do you have any medical problems, or are you taking any medications, that might interfere with your ability to serve as a juror in this case?
28. This trial is expected to last less than one week. Do you have any commitments this week or next week that would interfere with your ability to serve as a juror in this case?
29. Do you have any personal commitments that would make it difficult for you to be in court by 9:15 every morning of your jury service?

QUESTIONS FOR INDIVIDUAL JURORS

1. Please state your name and county of residence. If you have lived there less than five years, where did you live before?
2. How old are you?
3. How far did you go in school?
4. Are you employed? If so, what do you do? If you are retired or currently unemployed, what did you do when you were working?
5. How long have you had your current job? If less than five years, what did you do previously?
6. Are there other people in your household? What do they do?
7. Do you have grown children? What do they do?
8. Have you ever served as a juror? If so, when did you serve? Was it a grand jury or a trial jury? If you served on a trial jury, was it a civil or criminal case? Do not tell us what the verdict was, but did you deliberate and reach a verdict?
9. Is there anything else that I have not specifically asked you that you think the parties and I should know because it may have some bearing on your ability to serve as a fair and impartial juror in this case?